

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
SHREVEPORT DIVISION

MICHAEL D. McCLAIN

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CIVIL ACTION NO.: 5:16-cv-00571

VERSUS

CAESARS ENTERTAINMENT OPERATING
COMPANY, INC. D/B/A HORSESHOE
BOSSIER CITY; AND SCHINDLER ELEVATOR
CORPORATION, IN SOLIDO

JUDGE ELIZABETH E. FOOTE

MAG. JUDGE MARK L. HORNSBY

AFFIDAVIT

STATE OF LOUISIANA

PARISH OF CADDO

BEFORE ME, the undersigned Notary Public, personally came and appeared:


J. DAVID GOOGE, MD

who, after being duly sworn, did depose and state the following:

1. I am a board certified orthopaedic surgeon practicing in Shreveport, Louisiana, all as more fully set forth in my attached curriculum vitae.
2. I have personal knowledge of the facts in this Affidavit.
3. The attached report is an accurate copy of my sworn opinion regarding the claim before the Court.
4. I adopt the contents of the attached report as my testimony herein, as if copied here, *in extenso*.


J. DAVID GOOGE, MD

SWORN TO AND SUBSCRIBED
BEFORE ME THIS 12 DAY
OF June 2017.


NOTARY PUBLIC



VICKIE RAMEY
Notary Public
Notary ID No. 035035
Caddo Parish, Louisiana

EXHIBIT

G

Musculoskeletal Institute of Louisiana
 Orthopedic Specialists of Louisiana • Pain Care Consultants • Electrodiagnostic Medicine

Fax Cover Sheet

Orthopedic Specialists of Louisiana

Michael T. Acurio, M.D.
 Stephen L. Cox, M.D.
 Val Irion, M.D.
 Clinton G. McAlister, M.D.
 David D. Waddell, M.D.

Steven M. Atchison, M.D.
 David Googe, M.D.
 Lewis C. Jones, M.D.
 Marion E. Milstead, M.D.

Ellis O. Cooper III, M.D.
 G. Michael Haynie, M.D.
 James S. Lillich, M.D.
 William Overdyke, M.D.

Shreveport Location

1500 Line Ave., Ste.100, Shreveport, LA 71101
 Phone: 318/635-3052 • Fax: 318/635-3072

Bossier Location

2005 Landry Drive, Bossier City, LA 71111
 Phone: 318/752-7850 • Fax: 318/752-7855

| | |
|--------------------------------|--------------------------|
| Send To: James Washburn | From: Dr. Googe |
| Attention: James Washburn | Date: 04-07-2017 |
| Fax number: 985-809-2001 | Fax number: 318-632-6073 |

☐ Urgent
 ☐ Reply ASAP
 ☐ Please comment
 ☒ Please review
 ☐ FYI

Total pages, including cover: 2

Comments:

Please see attached in re. to Michael McClain v. Caesars

Confidentiality Notice: Confidential Health Information Enclosed

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To whom it may concern,

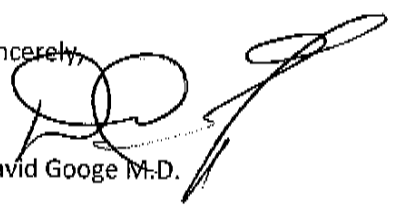
The purpose of this letter is to report my review of the record for Michael McClain. Michael was involved in an accident at the casinos where he was hit by an elevator door on July 21, 2015. Subsequent to that accident, he was treated for left shoulder pathology that allegedly occurred as a result of the accident.

Mr. McClain was treated by Dr. Carlton Houtz. He was initially seen by Dr. Houtz on August 12, 2015. Despite being a chronic pain management patient, Michael was given a prescription for Norco at that time. Michael subsequently had an MRI of his shoulder on October 26, 2015 and was diagnosed with a possible SLAP tear. On December 18, 2015 Mr. McClain underwent his first surgery. He was treated with a SLAP repair, anterior labral repair and subacromial decompression. Despite these measures, Michael did not improve. He failed additional therapy before going through a second surgery on November 16, 2016. At that time, he underwent a revision labral repair and bicep tenodesis.

After reviewing the video of the injury and his subsequent treatment, it is my opinion that the mechanism of injury was inconsistent with that needed to generate a SLAP tear. He had an impact injury with the arm adducted to his side. That is not a mechanism that is consistent with SLAP tearing. SLAP tears result from falls on an outstretched arms or extreme external rotation injuries. Neither of these mechanisms were present on the video of his injury.

It is my conclusion that Mr. McClain had a degenerative labrum that preceded this accident. My hope is that he will improve from his bicep tenodesis and subacromial decompression. But, I do not feel like his elevator door injury necessitated this procedure. If you have any questions regarding his case, please do not hesitate to contact me.

Sincerely,


David Googe M.D.

J. DAVID GOOGE, M.D.
Board Certified Orthopedic Surgeon

PRACTICE: Orthopedic Specialists of Louisiana

Title: Partner in Physician Practice

Descriptions: Private Practice Physician

Experience: 8 years

FELLOWSHIPS: Lake Tahoe Orthopedic Institute, Zephyr Cove, Nevada

Title: Sports Medicine

Description: Complex Surgery of the Shoulder & Knee

Mentor: Randy Watson, M.D.

Experience: Associate Team physician for United States Ski Team

McBride Orthopedic Clinic and VA Hospital, Oklahoma City, OK

Title: Adult Reconstruction

Description: Primary and Revision Reconstruction of the Hip & knee

Mentor: Thomas Tkach, M.D.

Experience: Hundreds of primary and revision total shoulders, total hips and total knees.

RESIDENCY: University of Oklahoma Health Sciences Center, Oklahoma City, OK

Department: Orthopedic Surgery & Rehabilitation

Scores: Top 5 percent on the Orthopedic Inservice Exam

Activities: Chief Resident Class of 2007, Resident Steering Committee, Orthopedic Representative to the Resident Council and Intramural football, basketball and golf.

Experience: Associate Team Physician for the University of Oklahoma, Oklahoma State University and the New Orleans Hornets, Covered the NCAA Wrestling National Championship, Hundreds of primary and revision total joints

MEDICAL EDUCATION: Louisiana State University Health Sciences Center, Shreveport, LA

Degree: Doctor of Medicine

John David Googe, MD - C.V. Continued
Page 2

Activities: Student Body President LSU School of Medicine/Graduate School, Chairman of the Louisiana Council of Student Body Presidents, Louisiana State University Council of Student Body Presidents, Student Body Secretary LSU School of Medicine/Graduate School, Athletic Chairman of Class of 2002, and Intramural football, basketball & golf.

Honors: LSU Outstanding Orthopedic Student, The Dr. and Mrs. Adrian F. Reed Memorial Award, State of Louisiana Medical School Scholarship, Chancellor's Research Grant, Molecular And Cellular Biology Award at the National Student Research Forum.

Affiliations: American Medical Association, Souther Medical Association, and Louisiana State Medical Society.

COLLEGE EDUCATION: Baylor Univerity, Waco, Texas

Degree: Bachelor of Arts in Biology

Activities: Member Phi Gamma Delta Society Fraternity, Member Alpha Epsilon Delta Pre-Medical Society. New Testament Student Instructor, Freshman Leadership Organization and Intramural football, softball, basketball, golf and swimming.

Honors: Phi Beta Kappa, Member Mortar Board Honor Society, and Dean's List

SECONDARY EDUCATION:

Captain Shreve High School, Shreveport, LA

Activities: Student Council President, Football and Basketball Letterman

Graduation: Class of 1993

Youree Drive Middle School, Shreveport, LA

Graduation: May of 1990

University Elementary School, Shreveport, LA

Graduation: May of 1987

J. DAVID GOOGE, M.D.
Board Certified Orthopedic Surgeon

BILLING PRACTICES SCHEDULE

Dr. Googe's standard charge for an independent medical examination or medical record review is \$1,500.00. (See attached.)

**MUSCULOSKELETAL INSTITUTE OF LOUISIANA
ORTHOPEDIC SPECIALISTS OF LOUISIANA
1500 Line Avenue, First Floor
Shreveport, LA 71101
318-635-3052**

DATE: April 12, 2017
PHYSICIAN: John David Googe, M.D.

PATIENT NAME: Michael McClain
BILLING ADDRESS: Aubert Law Firm

**** Please make check payable to John David Googe, M.D.**

****Please mark envelop *PERSONAL & CONFIDENTIAL "**

| DESCRIPTION | Date of Service | CODE | AMOUNT |
|----------------------|-----------------|------|------------------|
| Medical Chart Review | 04/12/17 | | \$1500.00 |
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| TOTAL DUE: | | | \$1500.00 |
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Document Name: {MSIL CHARGE TICKET.doc}

J. DAVID GOOGE, M.D.
Board Certified Orthopedic Surgeon

DEPOSITION AND TRIAL TESTIMONY

Dr. Googe has not provided expert testimony at a deposition or trial over the course of the last four years.